

PLANNING AND ZONING COMMISSION
Tuesday November 13, 2007 – MINUTES – Regular Session

Call to Order: Time In: 7:00 p.m.

The Planning and Zoning Commission of the Village of Canal Winchester met on the above date for a regular session and was called to order by Mr. Christensen.

Roll Call

Present: Mr. Christensen, Mr. Graber, Mr. Harper, Ms. Solomon, Mr. Vasko and Mr. Wynkoop. Mr. Wynkoop made a motion to excuse Mr. McCoy. Mr. Graber seconded the motion. The motion passed unanimously.

Approval of Minutes

Mr. Graber made a motion to approve the minutes of the September 10, 2007 regular meeting. Ms. Solomon seconded the motion. The motion passed 5–1–1, with Mr. Harper abstaining.

Mr. Vasko made a motion to approve the minutes of the October 8, 2007 regular meeting. Mr. Wynkoop seconded the motion. The motion passed 4–0–2, with Ms. Solomon and Mr. Graber abstaining.

Mr. Christensen noted for the record that Mr. McCoy arrived at 7:03 p.m.

Mr. Wynkoop made a motion to approve the minutes of the October 24, 2007 special meeting. Ms. Solomon seconded the motion. The motion passed 4 – 0 – 3, with Mr. Harper, Mr. McCoy and Mr. Vasko abstaining.

Public Comment

Chuck Bartows, 6844 Lakeview Circle, spoke against a Byers used car lot for Canal Winchester. He believes a used car lot will decrease the property value and increase traffic issues. He believes it will produce a lot of light and attract criminals who want to steal cars.

Paul Ouellette, 6691 Lakeview Circle, states that he represents Charleston Lake. He does not want a used car lot in the village.

Beth Bayless, 485 West Waterloo Street. She concurs with the residents of Charleston Lake that a used car lot would be adverse to development. She would rather see it go on Gender Road.

Kim Rankin, President of the Canal Winchester Chamber of Commerce, representing the Chamber of Commerce. The Chamber believes that a used car lot would be a wrong look for West Waterloo Street.

Jeffery Bond, 36 Washington Street, spoke about the different developments going on in Canal Winchester. He is in favor of the higher density single family homes in the area.

Mr. Christensen thanked all the residents that came out to speak about the Byers used car lot and reiterated that a formal application had not been submitted. Therefore, the Planning and Zoning Commission will not be taking any action on Byers this evening. He hoped that when the application is submitted they will all be back for that meeting.

Administration of Public Oath

Mr. Christensen administered the public oath.

Public Hearing

Application #VA-07-12 The property owner is Canal Pointe LLC and the property is located at 8233 Howe Industrial Parkway. The applicant, Margaret Tobin of Tobin Merritt and Associates, and the agent, Jennifer Carney of Carney Ranker Architects, are requesting a Variance to Section 1175.02 (e) (4) B to allow more parking spaces than allowed by the Zoning Code. Allan Neimayer, Planning and Zoning Administrator, gave the staff report.

Rich Irelan of Dublin Building Systems and Margaret Tobin were present to answer questions from the Commission. Ms. Tobin stated that the company is continuing to grow and they will need the spaces. Mr. Graber wanted clarification over the parking projections provided by the applicants. Mr. Graber wanted to know if the office could hold 62 employees. Ms. Tobin stated yes it can.

Mr. Christensen opened the hearing for public comments. Jeffery Bond, 36 Washington Street, stated that the office should not be in a Limited Manufacturing district. There is too much traffic on Diley Road.

Mr. Wynkoop made a motion to close the public hearing. Mr. Vasko seconded the motion. The motion passed unanimously.

Mr. McCoy made a motion to approve application #VA-07-12 with staff recommendations. Mr. Harper seconded the motion. The motion passed unanimously.

Pending Applications

Application #FSP-07-03 The property owner is Canal Pointe LLC and located at 8233 Howe Industrial Parkway. The applicant, Margaret Tobin of Tobin Merritt and Associates, and the agent, Jennifer Carney of Carney Ranker Architects, are requesting a Final Site Plan approval for an 8,131 square foot medical business office. Mr. Neimayer gave the staff report. Chris Strayer, Development Director, also added an additional staff recommendation to receive approval from the CWICC for the Final Site Plan.

Rich Irelan of Dublin Building Systems and Margaret Tobin were present to answer questions from the Commission. Mr. Vasko asked if the lot is curbed. Mr. Neimayer stated it is not curbed. According to the civil engineering plans, the drainage flows off the lot into the bio-retention basin. Curbs are not specifically required by village code. Mr. Vasko wants the lot curbed. The parking stops get pushed around and edges look bad on the asphalt.

Mr. Neimayer asked the Commission if they wanted curbs as an aesthetic element. The Commission all agreed that yes they do.

Mr. Christensen asked if the landscaping would impede a future sidewalk. Mr. Neimayer stated it would not.

Mr. Christensen would like to keep a future option of a sidewalk because future land use across the street (east of Diley Road) may encourage pedestrian traffic.

Mr. Irelan stated drainage of the back (south) parking lot sheet flows east into to the bio-retention basin. Mr. McCoy asked if there could be openings in the curb to outlet the storm water to the bio planting. Mr. Irelan said that it could be done with a change of engineering. The Commission is in agreement that it would like the curbs with the sheet runoff design. Mr. Irelan proposed having curbs at the site's entrance, around tree islands and in front of the building? The Commission was somewhat favorable about the idea. Mr. Irelan indicated on a revised plan the location of the full curb.

Ms. Tobin indicated that she does not like the sidewalk requirements and neither does Mr. Tobin. Mr. Christensen suggested that they table the application until the engineering is worked out about the curbing. The Commission continued the discussion of the curbs, sidewalks and if this item should be tabled or not.

Mr. Vasko made a motion to approve application #FSP-07-03 with the following conditions:

1. The Commission's acceptance of the parking lot design and location of required tree islands.
2. The Applicant needs to document on the Final Site Plan compliance with the minimum interior landscaping area requirement (10% of the total parking lot pavement area).
3. Verification on the use of cut-off fixtures on the light structures along the west property line.
4. Compliance with the maximum light pole height of 16 feet.
5. Compliance with the Technical Review Group comments.
6. A full-depth curb shall be installed along the edges of the parking lot per the indicated red-line drawing submitted by Mr. Irelan at the November 13, 2007 Commission meeting. The use of extruded curb shall be prohibited.
7. Construction of a sidewalk, as specified by Section 1175.02 (d) (1) (L) of the Zoning Code, will not initially be required. However, if at any time in the future the Planning and Zoning Administrator determines that a sidewalk constructed along Diley Road or Howe Industrial Parkway is necessary, a sidewalk shall be constructed per village regulations at the cost of the property owner.
8. The applicant shall receive approval of the project from the Canal Winchester Industry and Commerce Corporation (CWICC) at their next available meeting.

Mr. Graber seconded the motion. The motion passed unanimously.

Application #PSP-07-04 The property located at 620 Winchester Pike. The owner/applicant, Damon Pfeifer, is requesting a Preliminary Site Plan approval to expand an existing pole barn and add a parking area to conduct wine preparation and sales. This application was tabled by the Commission on August 13, 2007 pending the applicant's appeal to Village Council of Conditional Use Application #CU-07-03. Mr. Neimayer stated that on November 5, 2007 Village

Council passed a motion to deny the appeal upholding Planning and Zoning Commission's decision.

Mr. McCoy made a motion to approve application #PSP-07-04. Mr. Harper seconded the motion. The motion failed 0 – 7.

New Business

1. Informal discussion with KCDG Construction and Development on a conceptual layout for the 39-acre PCD zoned property at the southeast corner of Diley and Busey Roads. Mr. Neimayer outlined the background of the project. Mr. Christensen asked if there is a median down Diley road in of the right-in, right-outs. Mr. Neimayer stated yes there is. Mr. Strayer stated the owner is looking for a conceptual approval from the Planning and Zoning Commission of the site so that they can start marketing the property. A preliminary plat will be in the future.

Mr. McCoy asked if this could be a strip mall. Mr. Harper asked if there is a real plan for this concerning the uses. Mr. Strayer stated that yes there could be a strip mall. It is zoned PCD.

Samir Kulkarni of KDCG addressed the Commission. Mr. Kulkarni stated that this would primarily be a retail development with out lots. Mr. Wynkoop asked what kind of uses they foresee going into the development. Mr. Kulkarni stated that Culvers as an example of a restaurant, considered "fast casual." Mr. Strayer said like Easton Crossing. With large anchor stores and then filled in with smaller stores.

Mr. Vasko stated that they have been pushing building in front to the build-to lines and parking to the rear and side. Mr. Kulkarni said that he would like to have tenants that are valued to the community. Mr. McCoy wants a more creative design that is walkable. Mr. Kulkarni stated that they do not have the size, resources and market to have a creative design.

The Commission continued discussing the different possibilities for the property and what the Commission would like to see happen to the area. Mr. McCoy asked if there was a development plan for this area. Mr. Neimayer said there is not one at this time. Mr. Kulkarni and the Commission agreed to have a work session with a few members from Planning and Zoning Commission and Village Council as well as cross section of a few residents that live in the area. Ms. Solomon, Mr. Wynkoop and Mr. Vasko all agreed to be a part of this work session. Mr. Neimayer will get their available dates and work out what is best with Mr. Kulkarni.

2. Informal discussion with Tim Spencer of Newpointe Real Estate on a conceptual layout for 4.95 acres located at the northeast corner of Cemetery Road and West Waterloo Street. Mr. Neimayer introduced the project.

Mr. Spencer explained the challenges that he has had with the site given the green space requirements as well as the easements and underground work already in place on the site. The Commission discussed sidewalks, trees and parking with Mr. Spencer. Signage was also discussed.

Shirley Meuser, one of the property owners, spoke on the project. She likes what Mr. Spencer's proposed development.

Old Business - None.

Planning and Zoning Administrator's Report

Mr. Neimayer informed the Commission that the Fairfield County Regional Planning Commission is holding another a training session on November 27, 2007. For anyone interested in attending please RSVP to the Fairfield County Regional Planning Commission.

At the November 5, 2007 Village Council meeting, on the zoning of the Pfeifer property on Winchester Pike, Council requested an exhibit be prepared for them to adopt to go back to the 1983 Ordinance. Mr. Neimayer asked Steve Farst at EMH&T, village engineer, to prepare said exhibit plus a second exhibit that includes an aerial overlay of existing buildings.

Burger King has filed an appeal to Council on the latest decision from the Planning and Zoning Commission, on their Conditional Use application (#CU-07-02). This public hearing will be on December 3, 2007 at 6:30 p.m. at Town Hall. Mr. Neimayer needs a Commission member to be at the meeting to explain their decision. Mr. Christensen agreed to present the Commission's decision.

Adjournment

Mr. Wynkoop made a motion to adjourn this regular meeting of the Planning and Zoning Commission. Mr. Harper seconded the motion. The motion passed unanimously 7-0.

Time Out: 10:20 p.m.

Date _____

Bill Christensen, Chairman

Mike Vasko, Secretary